



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
-

MINUTES:

PRESENT: COUNCILMEN WEEKLY and MACK

Also Present: DEPUTY CITY MANAGER STEVEN HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, CITY CLERK BARBARA JO (RONI) RONEMUS, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:00)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-102 – Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a “tavern-limited” liquor license pertaining to the District. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will create the Downtown Entertainment Overlay District, located in the area bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The bill also will create a new limited liquor license for the District. The purpose of the bill is to encourage development within the District by removing the normal separation requirements that pertain to liquor establishments.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-102

Submitted at the meeting: document titled Proposed First Amendment to Bill No. 2002-102 by Mr. Van Gorp and written comments of Mr. McGowan

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-102 be forwarded to the Full Council with a “Do Pass” recommendation with a First Amendment. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

STEVE VAN GORP, Business Development Office, indicated that this bill will establish the Downtown Entertainment District Overlay, as well as a new tavern-limited license with a lesser fee of \$20,000 within the District rather than the normal \$60,000 fee, and waive the current tavern distance separation of 1500 feet within the District.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 30, 2002

City Attorney

Item 1 – Bill No. 2002-102

MINUTES – Continued:

He pointed out that the City Centre Development Corporation (CCDC) considered this bill on Wednesday, September 25, 2002, and strongly supported it, with a recommendation to consider waiving fees on the first seven license applications. The Planning Commission heard the matter on Thursday, September 26, 2002, and added the following language be added to Page 3, Line 19: “and with any applicable guidelines that might subsequently be adopted by the City Council.” Currently, the bill proposes to use the Downtown Centennial Plan Design Standards for the District and to incorporate the signage overlay that was created for the Fremont Street Experience. He submitted a document with the aforementioned amendment and another amendment.

COUNCILMAN WEEKLY questioned the type of support, if any, that has been received from the existing tavern owners or businesses in the area. MR. VAN GORP answered that support has been very strong, and noted that some of the business owners in the area were present to express their support of the bill. Also, staff received contact from 23 operators from around the country who are strongly interested in coming to the District. About five to ten operators are anticipated to open during the first 18 months of the bill’s adoption.

COUNCILMAN WEEKLY asked if any safeguards are being adopted in order to enable the City to evict non-compliant operators. MR. VAN GORP replied that several safeguards have been put into the bill, in particular, an 18-month sunset clause that will give the Council the discretion on the continuance of the bill, should there not be enough appropriate operators. The operators must form an owners association before any licenses can be pulled, and then the owners would be required to form a business improvement district to make necessary improvements. Additionally, applicants will be required to apply for the license as well as a special use permit, which will require a security plan to be submitted for consideration and approval to the Las Vegas Metropolitan Police Department, and then to the Council for consideration and approval.

COUNCILMAN WEEKLY asked how the people from the schools and churches in the area feel about this bill. MR. VAN GORP answered that during the creation phase of the District, staff met with school leaders and church and community representatives. None of them expressed any opposition to this bill.

TOM McGOWAN, Las Vegas resident, submitted his written comments, a copy of which is made a part of these Final Minutes, regarding his proposal to assist in developing a successful entertainment district. He asked three questions, which are included in his written comments. To question number one, MR. VAN GORP answered that the CCDC office is within the City of Las Vegas Business Development office. The CCDC’s chairman is PETER THOMAS. The new officers should be elected at the next CCDC meeting. Primary staff persons are he, as Redevelopment Officer, and LESA CODER, President, CCDC.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 30, 2002

City Attorney

Item 1 – Bill No. 2002-102

MINUTES – Continued:

AL GALLEGOS, Las Vegas citizen, stated that he attended the recent Planning Commission meeting, where he got the impression, from the business owners in this area, that they are not in concurrence with being put on any type of owners committee for the District. He opined that the association is being formed too fast. The problems need to be identified first, and then go from there. One of the primary businesses on the block is the El Cortez, which, in his opinion, is soon to go under. A lot of people have been laid off. If the majority of the people in the affected area were in support, they would be present to express their support.

BOB OLSEN, Counsel for the El Cortez, commented that the El Cortez is in support of the formation of the Entertainment District. They are proceeding as if it will be approved, even if there may be some lack of interest on the part of some of the property owners. He noted that at the recent Planning Commission, he advised the members that El Cortez circulated a term sheet to some of the property owners for the formation of a non-profit association. COUNCILMAN WEEKLY remarked that people do not embrace change and are reluctant at first, but, in due time, those people may change their minds.

JOHN FRANK, Franklin Brothers Days Inn, spoke on behalf of the owners of the City Center Motel and the Conrad Hotel, who are in support. He admitted that there are a few business owners that are not in favor of the Entertainment District. As far as not everyone on association being present at the Planning Commission meeting, he pointed out that 80% of the membership was present. With regard to the assessment that the El Cortez is going under, that cannot be determined unless their books are reviewed. Lastly, he remarked that there may be several people opposed and there are some issues to resolve but the people in favor really want to move this forward.

FRANK NEIL, 115 N. 7th Street, concurred with MR. FRANK'S comments and expressed that the District is going to be a great success because there is more to begin with than at any other time. He has already received many calls from interested operators. In fact, Skywest has expressed an interest in his property. He strongly believes that this project will help the entire downtown district.

COUNCILMAN MACK thanked MR. VAN GORP and the property owners that have worked diligently in establishing the association and on the details of this project. He expressed full support of the District; however, he noted that several tavern owners are concerned with the prohibition of gaming in the District. They feel that if tavern owners are wanted in the area, gaming is going to have to be allowed.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 30, 2002

City Attorney

Item 1 – Bill No. 2002-102

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY STEED suggested the bill be forwarded as a First Amendment.

COUNCILMAN WEEKLY indicated that he would like to be notified of the next association meeting, because he likes to hear what constituents and property owners have to say.

FRED COUZENS interjected that the media was not allowed to participate in the first meeting. If the public is going to be allowed to participate, the media should also be allowed. COUNCILMAN WEEKLY mentioned that the City has no control over private meetings. MR. GALLEGGO clarified that if any City staff members attend, the public should be allowed to attend. MR. VAN GORP said that was the first meeting held to create the association. DEPUTY CITY MANAGER HOUCHENS agreed that there was no entity established at the time. The meeting was held for the formation of the association.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:00 – 4:16)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

ABEYANCE ITEM - Bill No. 2002-95 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In addition to adding new alcoholic beverage licensing categories for wedding chapels, billiard parlors, convenience stores, art galleries, art studios, buses and limousines this bill reorganizes the presentation of the existing alcoholic beverage regulations, including moving related zoning matters from Chapter 6.50 to Title 19 of the City Code. Special use permit regulations for unlicensed locations hosting social events with alcoholic beverage sales are also established.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-95

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-95 be STRICKEN. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

JIM DiFIORE, Manager, Business Services, requested that this bill be stricken so that staff can look at the possibility of adding more classifications that were discussed at the previous Council meeting. Staff intends to submit a revised bill draft within 30 days.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 30, 2002

City Attorney

Item 2 – Bill No. 2002-95

MINUTES – Continued:

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:16 – 4:17)

1-519

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILLS:

Bill No. 2002-101 – Annexation No. A-0013-02(A) – Property location: 330 feet north of Buckskin Avenue and 640 feet east of Cliff Shadows Parkway; Petitioned by: Donald and Beth Sylvester; Acreage: 2.54 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent).
Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located 330 feet north of Buckskin Avenue and 640 feet east of Cliff Shadows Parkway. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 25, 2002) is set by this ordinance.

NOTE: The Lone Mountain West Master Plan has designated this parcel as ML (Medium Low Density Residential) which allows up to 12 dwelling units per acre.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-101 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-101 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

MARGO WHEELER, Planning and Development Department, said that the Planning Commission at its 4/25/2002 meeting recommended this bill for approval. The 2.5-acre parcel is vacant, and the property owner is planning to sell to a developer that is in agreement with the annexation. The intended ultimate use of the property is a single-family subdivision. Staff recommends approval.

RECOMMENDING COMMITTEE MEETING OF SEPTEMBER 30, 2002

City Attorney

Item 3 – Bill No. 2002-101

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:17 – 4:18)

1-553

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-103 – Ordinance Creating Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) Sponsored by: Step Requirement

Fiscal Impact

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No Impact

Amount: \$3,824,708.11

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Budget Funds Available

Dept./Division: Public Works/SID

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Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, curb and gutter, driveway approaches, fire hydrants and streetlights will be constructed on the east side of El Capitan Way and along the south side of Elkhorn Road.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-103

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-103 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated that the bill is in order.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:18 – 4:19)

1-587

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-104 – Ordinance Creating Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) Sponsored by: Step Requirement

Fiscal Impact

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No Impact

Amount: \$161,922.91

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Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, “L” type curb and gutter, sidewalk, driveway approaches, sewer laterals and streetlights.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-104

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-104 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated that the bill is in order.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:19)

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RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 30, 2002

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

AL GALLEGO, Las Vegas citizen, expressed concern about the lack of frontage roads in the Centennial Hills area, especially when there is a major accident on the freeway and it is blocked off. He happened to be in the area that morning and had to zigzag all over town trying to get back into the downtown area because there was a major accident on the freeway and the Las Vegas Metropolitan Police Department closed it off. COUNCILMAN MACK indicated that the area is not fully developed. An off-ramp will be put in near the Wal-Mart in the Northwest.

MR. GALLEGO also pointed out that the palm trees in the same area are drying out, and that the area along Rancho is saturated with signs. Code Enforcement personnel should be sent out.

THE MEETING ADJOURNED AT 4:23 P.M.

Respectfully submitted: _____
GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK
October 2, 2002